

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

CHAMBERS OF
J. FREDERICK MOTZ
UNITED STATES DISTRICT JUDGE

101 WEST LOMBARD STREET
BALTIMORE, MARYLAND 21201
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June 18, 2007

MEMO TO COUNSEL RE: Gerald Williams v. Maryland Office Relocators
Civil No. JFM-05-3030

Dear Counsel:

I have reviewed the memoranda submitted in connection with plaintiff's motion for attorney's fees and costs. I will award plaintiff attorney's fees in the amount of \$26,080, and costs in the amount of \$1,505.13.

In making this award, I have considered all of the factors set forth in *Johnson v. Georgia Highway Express, Inc.*, 488 F.2d 714, 717-19 (5th Cir. 1979) and *Rum Creek Coal Sales, Inc. v. Caperton*, 31 F.3d 169, 175 (4th Cir. 1994). I have also taken into account the provisions of Appendix B of this court's Local Rules. In the latter connection I note that although I am reducing the number of hours claimed by Mr. Zipin, I am using the \$360 hourly rate he claims because (1) Appendix B has not been amended for many years, and (2) the rate he claims is less than the top of the range suggested in the revised Appendix B that will come into effect in the near future. As for Mr. Zipin's associates, I am using a blended rate of \$200 per hour.

A break-down of my award by litigation stage is as follows:

Case development

Mr. Zipin	5 hours	\$1,800
Associates	15 hours	<u>\$3,000</u> \$4,800

Pleadings

Mr. Zipin	1 hour	\$360
Associates	2 hours	<u>\$400</u> \$760

Discovery

Mr. Zipin	6 hours	\$2,160
Associates	4 hours	<u>\$ 800</u>
		\$2,960

Motions

Mr. Zipin	5 hours	\$1,800
Associates	40 hours	<u>\$8,000</u>
		\$9,800

ADR

Mr. Zipin	6 hours	\$2,160
Associates	4 hours	<u>\$ 800</u>
		\$2,960

Attorney's Fee Petition

Mr. Zipin	5 hours	\$1,800
Associates	15 hours	<u>\$3,000</u>
		\$4,800

I finally note that plaintiff did not prevail on all of his claims. This fact is particularly relevant in analyzing the hours spent by plaintiff's attorneys in preparing the complaint and the summary judgment memoranda.

Despite the informal nature of this letter, it should be flagged as an opinion and docketed as an order.

Very truly yours,

/s/

J. Frederick Motz
United States District Judge